

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE:
RESIDENTIAL CAPITAL, LLC, et al.,

CHAPTER 11
CASE NO. 12-12020 (MG)

Debtor
_____/

**OBJECTION OF CREDITOR ANTHONY DAVIDE TO THE
RECLASSIFICATION OF CLAIM FROM SECURED TO UNSECURED**

Anthony L. Davide, pro se, creditor, files this objection to the reclassification of his claim and states as reason the following:

- 1) Davide paid his money under the courts direction in Monroe County, Florida from a legal action involving GMAC.
- 2) Under the direction of Judge Luis Garcia, Davide was assured that these funds would be refunded in their entirety in the event of a disagreement between the parties.
- 3) A disagreement was ultimately reached between the parties involving the dispute.
- 4) No moneys have been returned.
- 5) Creditor believes that Debtor applied these funds to Davide's mortgage account as loan or escrow payments and did not segregate them until a resolution was reached.
- 6) Creditor should not be prejudiced by the loan servicer miss applying the funds and not affording the protection so granted by the State Court in its ruling.

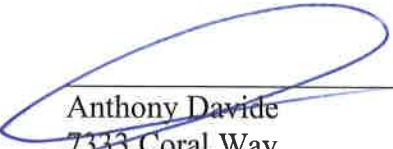


Davide prays this court will maintain the claim as a secured claim against the assets and not be subjected to the additional risks associates with the unsecured class claimants.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed on August 5, 2013 to the Honorable Martin Glenn, One Bowling Green, New York, New York 10004, Courtroom 501; Morrision & Forester LLP, 1290 Avenue of the Americas, New York, New York 10104, Attn Gary Less Esq., Norman S. Rosenbaum, Esq. and Jordan Wishnew, Esq. and Kramer Levin Naftalis & Frankel LLP, 1117 Avenue of the Americas, New York, New York, 10036, Attn Kenneth H. Eckstein Esq. and Douglas H. Mannal, Esq.,

Respectfully submitted,



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